

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

HARBANS SINGH,

Defendant.

CASE NO. CR20-85 RAJ

ORDER CONTINUING  
TRIAL DATE

THIS COURT having considered the Motion of the United States to continue the trial date, the Defendant's response, the United States' reply, and the files and related pleadings herein, hereby FINDS as follows:

1. The trial date in this matter was initially set 69 days after the Defendant's initial appearance.
2. The Defendant filed his first motion to dismiss on August 18, 2020, and this Court held a hearing on the Defendant's three motions to dismiss on November 4, 2020. The 78 days between August 18, 2020, and November 4, 2020 are therefore excluded under 18 U.S.C. § 3161(h)(1)(D) from the Speedy Trial Act's 70-day trial deadline. *See* 18 U.S.C. § 3161(c)(1).

3. In addition, based on and as discussed in General Orders 11-20, 13-20, and 15-20 of the United States District Court for the Western District of Washington, which Orders are incorporated herein by reference, and the Court's other General Orders regarding COVID-19, and the health directives discussed in those Orders: recommended social distancing and other health measures made it impossible to proceed with a jury trial between July 28, 2020 and November 4, 2020; would make it difficult to proceed with a trial at this time or in the near future; and have made it impossible to conduct more than one trial in the Seattle courthouse prior to January 1, 2021.
4. Counsel for the Defendant has another trial scheduled before this Court on December 14, 2020, and has informed the Court that he has another trial scheduled for January 11, 2021. Counsel for the government has a trial scheduled in Tacoma on February 2, 2021. Thus, a failure to grant a continuance in this case until February 16, 2021 would "unreasonably deny the defendant or the Government continuity of counsel." 18 U.S.C. § 3161(h)(7)(B)(iv).
5. The "nature of the prosecution" is also "unusual," in that the government anticipates that it will attempt to introduce evidence from the United Kingdom through the testimony of at least one local law enforcement officer from the United Kingdom, which officer will have to travel during a pandemic that has closed international borders. 18 U.S.C. § 3161(h)(7)(B)(i).
6. Due to these considerations, the ends of justice served by continuing the trial in this case outweighs the best interest of the public and the Defendant to a speedy trial, and the time between July 28, 2020, and February 16, 2021, is excludable time under 18 U.S.C. § 3161(h)(7)(A).

1 IT IS THEREFORE ORDERED that the trial in this case is scheduled for  
2 February 16, 2021 at 9:00 a.m.

3 DATED this 1st day of December, 2020.  
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7 The Honorable Richard A. Jones  
8 United States District Judge  
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